

#11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue patent application of:

LIN

Serial No. 09/084,441

Filed: May 27, 1998

Title: OPHTHALMIC SURGERY METHOD USING
NON-CONTACT SCANNING LASER



Group Art Unit: 3739

Examiner: Peffley

Client Reference: LIN

Attorney Docket: 62-575

REQUEST BY APPLICANT TO HAVE
ANONYMOUS THIRD PARTY PAPER ENTITLED
“OPPOSITION TO PETITION TO GRANT FILING DATE”
RETURNED TO ITS SENDER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Counsel for the Applicant in the above-referenced case has just received a served copy of a paper entitled ~~OPPOSITION TO PETITION TO GRANT FILING DATE~~, apparently filed on January 13, 2000 ("the anonymous third party Paper").

This anonymous third party has no standing to come before you and intervene at this point. This reissue application was published in the Official Gazette one year ago. It is respectfully requested that the third party Paper be returned to its sender.

Moreover, contrary to the assertion of the anonymous third party, there is no pending petition in this case. Nearly two years ago a petition was filed regarding the proper use of a Request to Transfer Drawings and the prior filed drawings in the originally issued patent) to satisfy statutory requirements for filed drawings. The petition was granted on October 30, 1998. There is no pending petition to deny, as inferred by the anonymous third party.

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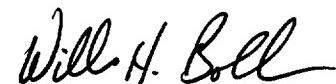
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This patent is not currently in litigation, as inferred by the anonymous third party.

The Applicant has already waited over one and one half years for a first action in this reissue case. It is respectfully requested that the case be returned to the Examiner with a confirmation of the final decision granted back in 1998, allowing it to finally move forward.

Respectfully submitted,



William H. Bollman
Reg. No.: 36,457

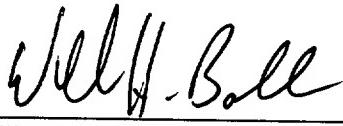
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CERTIFICATE OF SERVICE



The signature hereinbelow signifies that a copy of this paper entitled "REQUEST BY APPLICANT TO HAVE ANONYMOUS THIRD PARTY PAPER ENTITLED 'OPPOSITION TO PETITION TO GRANT FILING DATE' RETURNED TO ITS SENDER" was served upon the attorney for the anonymous third party via next day delivery courier mailed on January 14, 2000 to:

Benoit Castel
Young & Thompson
745 South 23rd Street
Arlington, VA 22202



William H. Bollman
Reg. No.: 36,457

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